

§40 DEDICATED OPEN SPACE AND RECREATION DISTRICT #1, #2 and #3 (DOSRD) *Revised 09-26-09*

40-1 *Purpose*

The purpose of the Dedicated Open Space and Recreation District Zone is to encourage the acquisition and retention of municipal parks and other municipal land for public use. It is in the public interest to provide areas where the citizens of Westport can have places to enjoy a peaceful and tranquil environment and to pursue recreation and leisure uses. It is intended to permit the reasonable use of open space land. The objective of the Dedicated Open Space and Recreation District is to protect environmentally vulnerable land, permanently preserve certain open spaces and recreational areas within the Town and to maintain the natural appearance, beauty, character and recreational value of these areas in order to contribute to the health, safety and general welfare of the community.

The purpose of a Dedicated Open Space and Recreation District #1 is to allow certain open space park areas to be maintained for passive or non-organized recreation. This includes undeveloped parkland, beaches, wooded areas, meadows and riverside areas.

The purpose of a Dedicated Open Space and Recreation District #2 is to allow certain parks to be used for active recreation such as playing fields, golf courses, tennis courts, beaches and other active organized sports in developed recreation areas.

The purpose of a Dedicated Open Space and Recreation District #3 is to allow certain open space park areas to be maintained for passive or non-organized recreation in a completely natural and undeveloped setting. No buildings or structures shall be erected.

40-2 *Permitted Uses in a DOSRD #1 and DOSRD#2 and DOSRD #3*

40-2.1 Principal Uses as allowed by the Parks and Recreation Commission in DOSRD#1 and DOSRD#2.

The following specific non-commercial recreational uses and other similar uses are permitted in a DOSRD#1 and DOSRD #2.

- (a) walks, paths, gardens and ponds, picnic tables and benches;
- (b) croquet and all lawn type bowling games, such as Bocci and Boules;
- (c) unorganized games with removable equipment, such as volleyball, horseshoes, touch football and soccer;
- (d) daytime ice skating on natural watercourses or ponds;
- (e) model boats and kites;
- (f) jogging, sledding, cross country skiing, biking and roller-skating;
- (g) a playground not to exceed 2000 square feet;
- (h) non-motorized boat launch areas;
- (i) agricultural and gardening uses;
- (j) restrooms and water fountains;
- (k) public art and monuments.

40-2.2 Principal Uses allowed in DOSRD#3

The following non-commercial passive or non-organized recreational uses and other similar uses are permitted in a DOSRD #3:

- (a) walks, paths, gardens and benches;
- (b) nature preserves;
- (c) hiking, jogging and cross country skiing;
- (d) horseback riding;
- (e) fishing.

40-3 Special Permit Uses as allowed by the Parks and Recreation Commission in a DOSRD #2

The following non-commercial recreational uses are permitted subject to a special permit and site plan approval in accordance with Section 43 herein in a DOSRD #2.

40-3.1 Municipal recreation facilities, recreation uses and other uses allowed by the Parks and Recreation Commission.

40-3.2 Related accessory buildings, structures and uses including playgrounds exceeding 2000 square feet.

40-4 Special Events

Nothing in this regulation shall prevent special events from taking place in an area designated as a Dedicated Open Space and Recreation District #1 or #2. Permission for a special event requires prior approval from the Parks and Recreation Department and/or the Board of Selectman. Special events shall not be permitted in a Dedicated Open Space and Recreation District #3.

40-5 Lot Area, Location and Shape

No mandatory requirement.

40-6 Setbacks

No buildings or structure shall extend closer than thirty (30) feet from any street line or twenty five (25) feet from any side or rear lot line except if the property abuts a Res AAA zoned property. In that case, no buildings or structures shall extend closer than 50 feet from any street line or other property line. (Also see §31-7, Setbacks from Waterbodies, Watercourses and Wetlands).

40-7 Height

No principal buildings or structure shall exceed a height of twenty-six (26) feet. No accessory structure shall exceed a height of sixteen (16) feet.

40-8 Coverage

The total coverage shall not exceed twenty-five percent (25%) of the lot area. Total coverage shall include 50% of the surface area of tennis courts.

40-9 Architectural Design

The architectural design, scale and mass of buildings and other structures, including among other elements, the exterior building material, color, roof-line, and building elevations shall be of such character as to harmonize and be compatible with the neighborhood, so as to protect the property values in the neighborhood, and to preserve and improve the appearance and beauty of the community. Architectural Review Board review is required for all Special Permit uses. There shall be no buildings or structures located within the DOSRD #3. Bridges may be constructed.

40-10 Signs

Signs shall be permitted in accordance with §33-4 and §33-5 of the Supplementary Regulations.

40-11 Parking and Loading

The required number of parking spaces will be determined in consultation with the Parks and Recreation Director. A parking lot will require a Special Permit in the DOSRD #1, DOSRD #2 and DOSRD #3. Parking lots are allowed within the 30-foot front landscape area but must meet a 25 feet side and rear setback from residentially zoned properties. (Also see §31-7, Setbacks from Waterbodies, Watercourses and Wetlands). In the DOSRD #3 there shall be no more than 0.33 parking spaces per acre and no less than 3 parking spaces.

40-12 Landscaping, Screening and Buffer Areas

Landscaping, screening and buffer areas shall be provided in accordance with §35 of the Supplementary Regulations.

40-13 Final Approval

An application for a Dedicated Open Space and Recreation District shall adhere to all of the approval and compliance requirements of the Zoning Regulations. The Commission may approve a Dedicated Open Space and Recreation District if it finds that the purposes, application procedure, standards and conditions of the Zoning Regulations have been met and that the proposed Dedicated Open Space and Recreation District will not be detrimental to the public health, safety, general welfare and property values of the neighborhood. The Planning and Zoning Commission may attach such conditions to a Special Permit in a Dedicated Open Space and Recreation District #2 that it deems necessary to preserve the purpose and intent of the Zoning Regulations of this district.